

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42564 of 2018

Arising Out of PS. Case No.-59 Year-2018 Thana- AHIAPUR District- Muzaffarpur

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Prem Kumar Chowdhary, S/o Sanjay Chowdhary @ Sanjay Prasad Choudhary, resident of Village- Chak Mohammad, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-07-2018 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Ahiyapur P.S. Case No.59 of 2018 registered under Sections 307, 504, 506 and 447/34 of the Indian Penal Code besides Section 27 of the Arms Act.

The accusation is that in the evening of 18.01.2018, the informant Umesh Bhagat was at his door. At that time, Bipin Singh, Praveen Kumar Rai, Vikash Kumar Jha and this petitioner boarding on two motorcycles came there and with an intention to kill the informant, started firing, saying that why the pickup van was not provided on hire.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is the employee of Bipin Singh. The



vehicle of Bipin Singh was hired by Dilip Kumar, the son of the informant, but the fare of the vehicle was not given. When the petitioner along with Bipin Singh went to the house of the informant to make demand of fare, the present case has been lodged by the informant with false allegation. Further submission is that it would appear from the F.I.R. that while there is allegation against the petitioner and others of making fire but no one has sustained firearm injury. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within four weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur, in connection with Ahiyapur P.S. Case No.59 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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